

COMMENTS AND RESPONSE

Applicants submit this Amendment in response to the Notice of Non-Compliant Amendment dated November 21, 2005. In view of the comments below, Applicants respectfully requests that the Examiner reconsider the present application including rejected claims, as amended, and withdraw the claim rejections.

Claim Objections

The Examiner has objected to claims 1-6, 8, 17-20, and 30 for a number of informalities. By this response, Applicants have addressed these objections.

Regarding claim 1, line 13, Applicants have amended the term “correlate first or” to read “correlate the first or”.

Regarding claim 5, line 2, and claim 6, line 1, Applicants have amended the term “correlation function” to read “correlation functions”.

Regarding claim 8, line 3, Applicants have amended the term “a first detecting” to read “the first detecting”, and have amended the term “to a second” to read “to the second”.

Regarding claim 17, line 14, Applicants have amended the term “a first or” to read “the first or”.

Regarding claim 18, line 9, Applicants have amended the term “one of the first and” to read “the one of first and”; regarding claim 18, line 11, Applicants have amended the term “a first detecting” to read “the first detecting”; and regarding claim 18, line 14, Applicants have amended the term “a second detecting” to read “the second detecting”.

Regarding claim 30, line 1, Applicants have amended the term “correlation function is” to read “correlation functions are”.

Claims 2-4, 19, and 20 were objected to based on the informalities in claims 1, 5, 6, 8, 17, and 18. Since these informalities have been corrected, claims 2-4, 19, and 20 inherit no informalities.

These various amendments are made to correct informalities in the claims. They do not substantively change the scope of the claims and therefore should not serve to limit the application of the doctrine of equivalents with respect to these claims.

Based on these amendments, Applicants submit that the claims contain no informalities. Applicants therefore respectfully request that the Examiner withdraw the objection to claims 1-6, 8, 17-20, and 30 based on informalities.

Claim Rejections – 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 8, 15, 16, 24, and 25 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 8, 15, and 24 the Examiner has noted that the first use of the terms “the first correction value” and “the second correction value” in these claims lack proper antecedent basis. By this response, Applicants have amended claims 8, 15, and 24 to recite “the first correction function” and “the second correction function” throughout, both of which have proper antecedent basis in each of these claims.

Regarding claim 24, the Examiner has asserted that the term “the first phase” in line 9 lacks proper antecedent basis. Applicants respectfully traverse this rejection. Claim 24 recites the term “a first phase” in line 7, which provides antecedent basis for the use of the term “the first phase” in line 9.

Following these amendments, claims 16 and 25 should no longer be dependent upon rejected base claims.

Thus, for at least the reasons given above, claims 8, 15, 16, 24, and 25 are fully definite. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 8, 15, 16, 24, and 15 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Allowed Claims

The Examiner has indicated that claims 5, 6, 26-28, and 30 would be allowable if rewritten to overcome the claim objections identified above. Based on the amendments and remarks in this response, Applicants submit that these claim objections have been fully addressed, leaving claims 5, 6, 26-28, and 30 in a condition the Examiner has indicated is allowable.

The Examiner has indicated that claims 8, 15, 16, 24, and 25 would be allowable if rewritten to overcome the rejections under 35. U.S.C. § 112, second paragraph, and the objections set forth in the current Office Action. For the reasons given above, Applicants submit that the objections of these claims based on informalities, and the rejections of these claims under 35. U.S.C. § 112, second paragraph, have been fully addressed. This places claims 8, 15, 16, 24, and 25 in a condition the Examiner has indicated is allowable.

Conclusion

Accordingly, Applicants respectfully submit that the claims, as amended, clearly and patentably distinguish over the cited references of record and as such are deemed allowable. Such

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allowance is hereby earnestly and respectfully solicited at an early date. If the Examiner has any suggestions, comments, or questions, calls are welcome at the telephone number below.

Although it is not anticipated that any additional fees are due or payable, the Commissioner is hereby authorized to charge any fees that may be required to Deposit Account No. **50-1147**.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brian C. Altmiller", written over a horizontal line.

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